

**SEALED**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

**FILED**  
U. S. DISTRICT COURT  
DISTRICT OF NEBRASKA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

DION A. BROWN,

Defendant.

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**INDICTMENT**

[18 U.S.C. §§ 922(g)(1),  
924(a)(1)(B), & 924(d);  
28 U.S.C. § 2461(c)]

The Grand Jury charges:

**COUNT I**

On or about the 2<sup>nd</sup> day of January, 2009, in the District of Nebraska, the defendant, DION A. BROWN, having been convicted of crimes punishable by imprisonment for a term exceeding one year, namely, Trafficking in Drugs, Second Degree, in the Circuit Court of Jackson County, Missouri, on or about May 3, 2002, and Possession of a Controlled Substance, in the Circuit Court of Jackson County, Missouri, on or about September 29, 1999, did knowingly possess, in and affecting commerce, a firearm, to wit, one Bryco, .380 caliber handgun, which had been previously shipped and transported in interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**COUNT II**

1. The allegations contained in Count I and II of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 922(k) and 922(g)(1), as set forth in Counts I and II of this Indictment, the defendant, DION A. BROWN, shall forfeit to the United States pursuant to Title 18, United States Code, Section

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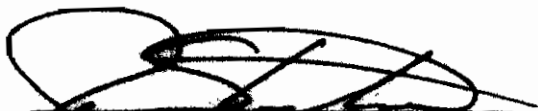
924(d) and Title 28, United States Code, Section 2461(c), any firearms involved or used in the commission of the offense, including, but not limited to: one Bryco, .380 caliber handgun.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United Code, Section 2461(c).

All pursuant to Title 18, United States Code, Section 924(d) and Title 28 United States Code Section 2461(c).



JOE W. STECHER  
United States Attorney

A TRUE BILL



FOREPERSON

The United States of America requests that trial of this case be held in Lincoln, Nebraska, pursuant to the rules of this Court.



STEVEN A. RUSSELL  
Assistant U.S. Attorney